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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Yingzhi C. Zhang,) No. CV 04-1185-PHX-ROS (ECV)
10 Plaintiff,)
11 vs.)
12 Corrections Corporation of America, et al.,)
13 Defendants.)
14 _____)
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16 Defendants United States Marshals Service (USMS) and Sam Cody have filed a
17 Motion to Dismiss or Require Service of Process on U.S. Attorney and Attorney General
18 (Doc. #47). Defendants argue that Plaintiff has failed to comply with Rule 4(i) of the Federal
19 Rules of Civil Procedure in that he has not sent a copy of the complaint and summons to the
20 U.S. Attorney or the Attorney General, despite personally serving Defendant Cody. Plaintiff
21 has filed a Response (Doc. #53) in which he states that he was unaware of the requirements
22 in Rule 4(i). He asks for additional time to comply with the rule. The court will grant
23 Plaintiff an additional 30 days to satisfy the requirements of Rule 4(i).

24 Given Assistant U.S. Attorney James Hair's appearance in this matter, Plaintiff may
25 satisfy the requirements of Rule 4(i) by sending a copy of the summons and complaint to Mr.
26 Hair and to the United States Attorney General at the U.S. Department of Justice, 950
27 Pennsylvania Ave. NW, Washington, D.C. 20530-0001.
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1 **IT IS THEREFORE ORDERED:**

2 That Defendants' Motion to Dismiss or Require Service of Process on U.S. Attorney
3 and Attorney General (Doc. #47) is **denied in part and granted in part**;

4 That Defendants' request for dismissal is denied and their request to require service
5 on the U.S. Attorney and Attorney General is granted; and

6 That Plaintiff shall effect service under Rule 4(i) within 30 days in accordance with
7 the instructions set forth above.

8 DATED this 6th day of December, 2005.

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11 Edward C. Voss
12 United States Magistrate Judge
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